Order

Michigan Supreme Court Lansing, Michigan

December 28, 2007

134812

Clifford W. Taylor, Chief Justice

Michael F. Cavanagh Elizabeth A. Weaver Marilyn Kelly Maura D. Corrigan Robert P. Young, Jr. Stephen J. Markman, Justices

LIVONIA BUILDING MATERIALS COMPANY, Plaintiff-Appellee,

V

SC: 134812 COA: 269045

Macomb CC: 2003-005049-CH

HARRISON CONSTRUCTION COMPANY, Defendant, Cross-Defendant,

and

HENRY G. BELL,

Defendant-Appellee,

and

KEITH M. PENNER,

Defendant-Appellant,

and

BANK ONE and MARTIN STEUDLE,

Defendants, Cross-Plaintiffs.

On order of the Court, the application for leave to appeal the July 26, 2007 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.



I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 28, 2007

in a. Danis

Clerk